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General Assembly

Official Records

Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

1449th Meeting
Friday, 14 July 1995, 3 p.m.
New York

Acting Chairman: Mr. Bangura . . . . . (Sierra Leone)

The meeting was called to order at 3.40 p.m.

Question of Western Sahara (A/AC.109/2029)

The Chairman: The Committee has before it a working paper prepared by the Secretariat, contained in document A/AC.109/2029. In accordance with the request for hearing granted at our 1442nd meeting, on 10 July 1995, the Committee will hear a statement by Mr. Boukhari Ahmed of the POLISARIO Front.

At the invitation of the Chairman, Mr. Boukhari Ahmed (POLISARIO Front) took a place at the petitioners' table.

The Chairman: I call on Mr. Ahmed.

Mr. Ahmed (POLISARIO Front) (*interpretation from Spanish*): I should like once again to apologize to the Committee if I have upset the order of today's agenda items by speaking at this time on behalf of the POLISARIO Front.

The conflict in Western Sahara is, as members know, a problem of decolonization that cannot be resolved except through the exercise by the Sahraoui people of their legitimate right to self-determination and independence. Since October 1975, Western Sahara has been a Territory occupied by a foreign army. It has been divided by walls and mines, while its natural resources have been plundered. Part of the population live in the occupied zones and are hostages to the occupying army. Hundreds of Sahraoui people have disappeared, and as many again more remain captive in the unfortunately well-known secret prisons in the Kingdom of Morocco, according to Amnesty International reports of the period 1980 to 1994.

For 20 long years the Sahraoui people have resisted this genocidal war and illegal occupation, never losing faith, however, that the United Nations would honour the pledges to restore the process of decolonization. It is thanks to this trust that they welcomed the joint mediation of the United Nations and the Organization of African Unity (OAU), which began in April 1986, leading to the joint settlement proposals of 30 August 1988. The POLISARIO Front cooperated sincerely and in good faith in order to contribute to the success of this mediation. Indeed, the Settlement Plan adopted by the Security Council in its resolutions 658 (1990) and 690 (1991) was based primarily on concessions made by the Sahraoui people. While Western Sahara is a full-fledged member of the Organization of African Unity, it accepted a referendum on self-determination, in the presence of troops and the authorities of the occupying Power.

In accordance with the Plan, the Council approved the establishment of the United Nations Mission for the Referendum in Western Sahara (MINURSO) and set a timetable for the referendum to take place in February 1992. This was the beginning of a new stage that gave rise to optimism in view of the dynamic role of the United Nations in the peaceful settlement of regional conflicts. However, in spite of the entry into force of the cease-fire in September 1991, Morocco set in motion a strategy, first, to halt the implementation process and, later, to impose modifications in the essential pillars of the Settlement Plan.

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Morocco imposed on the United Nations the replacement of the agreed clause regarding the electoral body, based on the Spanish census of 1974, with controversial criteria for identifying voters to ensure that the Moroccan people, transferred to the Territory in violation of the Settlement Plan, as was stated by the former Special Representative of the Secretary-General, Ambassador John Manz, could participate in the referendum.

Unfortunately, the United Nations did not defend the original peace plan in the face of these clear violations of its letter and spirit. From that moment, the peace process entered a stage of forced unilateralization in which Morocco took control of the process, to the point of refusing to allow the Security Council to mention in its resolutions the names of the two parties involved in the peace plan and the name of the Organization of African Unity, one of the sponsors of that very plan.

Thus the Government of Morocco felt sufficiently encouraged to set as its objective either the imposition of a unilateral referendum or the dissipation of the political will and the resources of the international community, leading to the withdrawal of MINURSO from Western Sahara. This picture became quite clear at the beginning of 1994 with the adoption of Security Council resolution 907 (1994).

Faced with this situation, the POLISARIO Front once again demonstrated its determination to achieve peace by communicating to the Chairman of the Identification Commission

> "that it maintains the reasons and the grounds justifying its reservation as to the controversial criteria. However, if the Commission can objectively and honestly identify the true Sahraoui people in this sea of colonized peoples it will have the POLISARIO Front's full cooperation and encouragement."

However, Morocco, unconcerned, stood in the way of the identification process by opposing the participation of Organization of African Unity (OAU) observers, whose presence had been stipulated in the plan. Later, when the process was well under way, it flooded the Identification Commission with thousands of participation requests, thereby forcing an extension of the time-frame and using up MINURSO's financial resources. The report of the Secretariat to the Special Committee (A/AC.109/2029) refers in paragraph 10 to this flood in which the Commission was submerged, but it fails to note that Morocco was responsible for it.

At this crucial time for the peace process, between 3 and 9 June 1995, the Security Council sent a mission to the Western Sahara and the region. This was a very important event, which was welcomed by the POLISARIO Front.

The Council is the guarantor of the Settlement Plan and therefore the guarantor of the credibility of the self-determination referendum of the people of Western Sahara.

This credibility depends first and foremost on the viability and the transparency of the voter-identification process, on the resolution of all relevant issues during the transition period and on United Nations guarantees regarding respect for, and compliance with, the results of the referendum.

The credibility of the voter-identification programme is a *sine qua non* for the fairness and impartiality of the referendum. I should like to provide the Committee with some information on this particular issue so that it can understand the full weight of that information in the peace process.

The Settlement Plan is based on the principle that the 1974 census is the sole basis for establishing the list of voters. That list includes the names of some 75,000 people with the right to vote.

The Moroccan Government, on the basis of the identification criteria imposed on the United Nations, had initially submitted to the Identification Commission 83,000 participation requests. Recently, following the visit of the Security Council mission to the Western Sahara, it added some 100,000 new requests. The figures speak for themselves as to their intentions.

A year after the identification process, we can clearly see the elements of the strategy of large-scale fraud pursued by the Government of Morocco.

The most flagrant and illustrative case took place in April 1995 in the Identification Centre in the occupied area of Smara. There, 3,000 colonists alleged in their statements, and before the Identification Commission, the following surprising data.

First, they said that they had all been born in or around Smara and that they had emigrated to Morocco in 1971 because of the drought. As you know, 1970 and 1971 saw the greatest amount of rainfall ever in Western Sahara.

They said that all of them had lived in a certain Marrakesh neighbourhood and had returned to the Sahara in 1991. They were all orphans and had no brothers or sisters. They all knew Sheikh "A", appointed by Morocco to offer oral testimony to the Commission. In turn, that Sheikh affirmed day after day to the Commission that he knew each and every one of them. And finally, they all said that they did not have, nor had they ever had, any Moroccan identity documents.

This scene took place in all of the Identification Centres in the occupied areas of Morocco. It is far too systematic, therefore, to be mere coincidence. The facts show that the Identification Commission is dealing with a planned strategy of fraud in which the fundamental instrument is the oral testimony of Sheikh "A", appointed by Morocco.

Sheikh "B", appointed by the POLISARIO Front, put numerous questions to the claimants to verify whether their allegations were true. During this cross-examination exercise, it was proved that they were false.

Everything points to the fact that the Moroccan settlers had received instruction in order to learn and memorize the information on the new, false identity described in their papers, and also on the social and cultural characteristics of Sahraoui society. As was obvious to the members of the Commission, that instruction could not stand up to the cross-examination of the Sheikh.

Faced with this situation, how can the Commission resolve the case of thousands and thousands of settlers who claim to be Sahraoui, but who do not appear on the 1974 census and who do not have any documents proving their own identity or their allegations, and on whose identity the two Sheikhs cannot agree?

To date, we have not had a convincing answer to this key question, on which the credibility of the entire identification process rests, especially if one recalls that the Government of Morocco has recently sent 100,000 new requests for participation.

The POLISARIO Front has well-founded reasons to warn the international community of the serious threat to the credibility of the referendum operation in Western Sahara. Morocco has put the pace and the direction of the process under its own control. This fact is no secret. The Security Council Mission to Western Sahara reveals in paragraph 34 of its report in document S/1995/498 that

> "Some of the OAU observers saw many problems in the manner in which the identification operation was being conducted, causing MINURSO to have almost lost control over it" *(S/1995/498, para. 34)*.

Those same African observers, aware of the seriousness of the situation, feel, as can be read in paragraph 36, that

> "the Council should also entrust MINURSO to take over the identification operation completely *(S/1995/498, para. 36)*".

This is not the first time alarm bells have been sounded. The United States Ambassador, Frank S. Ruddy, Vice-Chairman of the Identification Commission until December 1994, stated to a Committee of the United States Congress:

> "The United Nations has lost control of the mission in Western Sahara."

And in statements made to *The New York Times* on 5 March 1995 he said:

> "MINURSO has become an instrument of the Government of Morocco."

Nor is this the first time the attention of the United Nations has been drawn to this danger. In May of last year Mr. Jean-Luc Held, a medical official who worked from 1992 to 1993 in the Swiss medical unit of MINURSO, stated to the French weekly *Témoignage Chrétien*:

> "I have the impression that the United Nations is structurally in a position of submission, and can do nothing. The United Nations is afraid. In any event, all those who work there are afraid. I think that they are afraid. I myself have been afraid."

In another part of that interview the Swiss medical official stated:

> "From my standpoint, as well as that of my colleagues, the Moroccan authorities are doing

everything possible to ensure that MINURSO cannot complete its mission."

More recently, the special correspondent of *The New York Times* — one of the few media individuals able to visit the Territory since the arrival of MINURSO — wrote on 5 March 1995:

"There are very few United Nations diplomats and officials who believe that Morocco is going to leave the Western Sahara, regardless of the result of the entire referendum."

This confirms what the most senior representatives of the Moroccan Government have been publicly proclaiming — that

"the Sahara is and will continue to be Moroccan, with or without a referendum".

All these events make it really necessary for the United Nations to undertake all necessary efforts to restore trust in the process.

I should like, at this meeting, to touch on other problems that are a source of great concern but have never been dealt with in reports produced by the United Nations. I refer to the human rights situation in the Territory and to the protection of its natural resources and wealth. During the past 20 years of occupation the Moroccan Government has been responsible for the disappearance of more than 1,000 Sahraoui citizens. In 1991, thanks to pressure from Amnesty International and other international organizations, it reluctantly released some 300 Sahraoui civilians who had disappeared several years previously and been detained by the occupying forces. They were banned and forced to leave the Territory, under the threat of return to prison. They were not allowed to disclose what had taken place and what had happened to them during their incarceration in those famous secret Moroccan prisons. However, some of them were able to escape and to testify before the United Nations Commission on Human Rights.

Hundreds of others have disappeared, and repression has increased with the approach of the referendum. One of the most symbolic cases of this policy of repression involved MINURSO itself. According to the Swiss official doctor,

"Some young Sahraoui people, who felt that they were in danger, requested protection from MINURSO at the Smara base, headed by the French officer, Colonel Leherissier. That was in October of 1992. The colonel was unable to provide them with asylum, on the grounds that the United Nations base was not an Embassy. The young people did not want to leave the base, but the colonel took the decision to drive them out in United Nations vehicles and disperse them elsewhere in Smara so that the Moroccan police could not identify them."

According to the doctor,

"This was a very serious event. The Sahraoui women of Smara reacted violently. The next day, when the United Nations vehicles went to the market, the women threw stones."

A few months later those six young individuals were sentenced by a Moroccan military court to 20 years' imprisonment, and today they are in a jail in Agadir.

Shortly after the arrival of the Security Council mission to the Territory another event shocked national and international public opinion. On 23 June eight young Sahraouis between the ages of 18 and 21 were sentenced by another Moroccan military court to periods of 15 to 20 years in prison for having taken part in a peaceful demonstration — according to the same accusation of the Crown prosecutor — in support of the independence of Western Sahara.

This event provoked a great deal of international reaction, but the Moroccan decision was to put forward 100,000 new requests for participation in the referendum, leading to the suspension of the POLISARIO Front's participation in the identification process until the situation had been clarified, the credibility of and trust in the process restored, the Sahraoui political prisoners released and the eight young individuals sentenced by the military tribunal freed. In this framework I should like to thank those countries, and particularly the United States, that have shown an interest in the situation of those eight young people.

The POLISARIO Front feels that MINURSO must demonstrate an interest in the need to respect the Universal Declaration of Human Rights and the Geneva Conventions in order to ensure the fundamental freedoms of the Sahraoui civilians living under foreign occupation.

Another aspect is the protection of the natural resources of Western Sahara while the Territory is undergoing a process of decolonization. The Moroccan

Government has involved countries and groups of countries, and in particular the European Union, in the unbridled exploitation of Sahraoui natural resources — especially phosphates and fish — for the purpose of gaining recognition for its supposed sovereignty over the Territory. The POLISARIO Front would like to appeal to those countries to make a positive contribution to the acceleration and culmination of the peace process and, thus put an end to this practice, which is contrary to international law.

The coming months will be crucial for the future of the peace process. We feel that there is still some time and some room for the United Nations to restore, once and for all, the credibility and viability of the process and to ensure the holding of a just and free self-determination referendum for the Sahraoui people, without any fraud which, if it were to occur, would be acceptable neither to the Sahraoui people nor to the international community.

My statement ends here, but I would not wish to conclude without mentioning that a special envoy of the POLISARIO Front had recently arrived to discuss this matter with the President and members of the Security Council following the adoption of Security Council resolution 1002 (1995), in which the Council called upon the two parties to reconsider recent relevant decisions taken prior to the adoption of that resolution.

I am pleased to announce that the POLISARIO Front, in response to this request of the Security Council, and taking into account the involvement of influential States members of the Council and numerous friendly countries in Europe, Africa, Latin America and Asia, has decided to return to the identification process immediately. This will open up new prospects for peace and renew our confidence in the United Nations, which we would not wish to be based merely on a single paragraph, but rather on the Organization's credibility as truly reflected in facts.

Another matter involves the Committee's working paper. We have been informed that a note has been circulated among the members of the Special Committee which, supposedly for technical reasons, calls for the addition to the text of that working paper of some new paragraphs reflecting the position of Morocco. I would not wish the words of the POLISARIO Front to be considered interference in the Committee's internal affairs, but I would most sincerely urge that there be balance in the paper both in content and style, in order that it reflect the positions of both parties to the conflict.

I believe the Committee must continue to preserve and defend its own existence, because decolonization — contrary to what has occasionally been suggested — has not yet been achieved throughout the world and because one of the biggest problems that remain in decolonization is precisely that of Western Sahara. I would ask the Committee to treat the respective parties' stated positions with balance and equity, in the interests of its own objectivity and impartiality.

Mrs. Cueto (Cuba) (*interpretation from Spanish*): If possible, we would like a brief clarification or perhaps a little more information about the document on the Western Sahara before us. Three additional paragraphs have been submitted for our consideration in connection with this issue, because for technical reasons it was impossible to include them in the working paper.

This document, which contains information on the parties to the conflict, was issued yesterday. Could you, Sir, be kind enough to describe for us the obstacles that prevented the Committee from considering the full document on time?

The Chairman: I call on the Secretary of the Committee.

Mr. Dmitrichev (Secretary of the Committee): In response to the query of the representative of Cuba regarding the document on the Western Sahara and the note to the members of the Special Committee pertaining to this working paper, the explanation for this is as follows.

Yesterday morning, after the document was issued — as you know, it was issued before the Committee met — the delegation of Morocco approached the Secretariat requesting the inclusion of these additional paragraphs, which are based on the statement made by that delegation in the Fourth Committee at its last session. There had been previous contacts with the delegation of Morocco on the subject, but it was very late in providing that additional information. That explains why the note was issued for technical reasons.

Mrs. Cueto (Cuba) (*interpretation from Spanish*): The Secretariat's explanation partially satisfies our concerns in so far as the Secretariat feels that these circumstances can be considered a technical cause or an obstacle. Since I believe that to be open to interpretation, my delegation will consider that explanation at a later stage.

The petitioner withdrew.

The Chairman: As there are no further speakers, and taking into account the related developments, may I take it that, subject to any directives that the General Assembly might give in that connection at its fiftieth session, and in order to facilitate the Fourth Committee's consideration of the question, the Committee decides to transmit to the General Assembly all the relevant documentation?

It was so decided.

The Chairman: The Committee has thus concluded its consideration of the item.

One hundred and second report of the Working Group (A/AC.109/L.1835) *(continued)*

Mr. Chtcherbak (Russian Federation) (*interpretation from Russian*): I wish to thank the representatives of Tanzania, India, Syria and Trinidad and Tobago for their statements on the report of the Working Group and also for their appreciation of the contribution made to the cause of decolonization by my country which, as is known, was in at the very beginning of the fight for the eradication of colonialism.

From the brief discussion we have had it appears that, unfortunately, some members of the Committee have not read my delegation's amendments with sufficient care. Otherwise they would not have acquired the faulty impression that these amendments could in some way undermine the financial interests of the Committee, and thereby undermine its ability to function effectively.

Moreover, the amendments put forward by my delegation — as is clear if they are studied carefully — do not at all touch upon budgetary issues in relation to the work of the Committee. They relate purely to technical issues connected with meetings and conferences and documentation.

I should like to refer specifically to a few of them.

We have introduced an amendment to paragraph 4, section 2 of the report (A/AC.109/L.1835), which deals with representation at seminars, meetings and conferences. Let me explain why. In the view of my delegation, the Committee — and especially its Working Group — cannot dictate to the General Assembly which, as we know, is a principal organ of the United Nations, what it must do. In its recommendation in that paragraph, the Working Group uses the word "should". In my view, this is improper with respect to the General Assembly. My delegation has therefore suggested the wording that is now before the Committee — wording that is more flexible and more respectful of the General Assembly.

Were some delegations to continue to insist that we keep the former wording my delegation could, at most, go along with changing "should", in the last sentence of paragraph 4, to "would", with a view to securing a compromise.

Unfortunately, my delegation cannot support the appeal of other delegations that the draft as a whole be left as it stands, since it contains a number of factual inaccuracies. Paragraph 5 says:

> "the Committee had been able to curtail considerably the number of its formal meetings." (*A/AC.109/L.1835, para. 5*)

As we have already made clear, this is incorrect. The number of meetings is the same as before. Indeed, it may even have increased. I make no mention of the reference in paragraph 6 to the Committee's probable workload, which covers the year 1995, but not 1996.

With regard to the amendments concerning documentation, we feel that the Committee should take these into consideration in order to demonstrate that it is concerned about the rationalization of its work. In the view of my delegation and of a number of delegations that referred to this matter in the previous discussion, these amendments would not undermine the work of the Committee. To the contrary, they would enhance its efficiency.

Paragraph 8 of section 4 the Working Group's report, on the control and limitation of documentation, speaks of streamlining the Special Committee's report. I want to make it clear that my delegation — and this is clear from the text of our amendment — is concerned only with the creation of a consolidated working document of the Subcommittee. Let me explain by giving a concrete example.

The Secretariat currently issues 17 working documents on the various Territories. Ten or 11 of these are within the competence of the Subcommittee. Our argument is quite simple and logical. We feel that if we are to have a consolidated draft resolution containing the decisions adopted by the Subcommittee — an omnibus

draft resolution — it would be better to have an omnibus, unified document on those Territories.

Moreover, the report on each Territory would have its own title and keep its full content. The only difference would be that all the reports would be consolidated into a single document. This would simplify the Committee's work and also allow us to save some money, if not a great deal of money.

The same thing applies to paragraph 9, which deals with the question of meeting records. The argument that we need to see if other Committees are going to change their working methods and meeting record entitlements is not convincing to me, because in such circumstances each Committee would be waiting for the others to act. This would just waste time and incur additional expenses for the Organization.

With respect to my delegation's proposal for an additional paragraph, which would be paragraph 14, I should like once again to emphasize that the present stage of the work of our Committee requires a responsible attitude on the part of all its members and organs. If any delegations think we may be violating the rules of procedure by asking that participation in the Bureau and the Working Group be open-ended, let us then ask the Secretariat to give us this information during the course of today's meeting.

Finally, as we heard during the discussions on paragraph 10, some members of our Committee, while pronouncing their readiness to adopt a more flexible and pragmatic approach, are not yet prepared to act accordingly. I think that in this connection we should support the suggestion made by the representative of Trinidad and Tobago to resume consideration of paragraph 10 after we look at the report of the Trinidad and Tobago seminar. However, I believe that on a preliminary basis, if Committee members have no strong objections, it would be better for us to leave paragraph 10 as it is. My delegation will take this to mean that, from the point of view of certain members of the Committee, the time is not yet ripe for this purpose and that we are prepared to resume consideration of this item next year.

The Chairman: Before I call on the next representative, I should like to make an appeal. On the basis of the magnanimity that has been demonstrated, particularly with respect to paragraph 10, I would ask that, where the one hundred and second report does not differ fundamentally from last year's, we maintain it in its present form and use the amendments suggested by the Russian Federation as a basis for consultations and more serious consideration. In this way, we would have sufficient time next year to take a decision. I ask members to give this appeal their careful consideration.

Mr. Sriwidjaja (Indonesia): Regarding the amendments to paragraph 8 submitted by the Russian Federation, my delegation believes in encouraging the Committee to maximize its efficiency. Since the Committee was able to agree on the omnibus resolution on the small Territories, consequently it is also in the spirit of efficiency for the Special Committee to streamline and consolidate the working papers on the small Territories. It is also important to consider another aspect of the question: the possibility that because of a lack of efficiency, the implementation of the mandate of this Committee could be impeded.

Based on these considerations my delegation, through you, Sir, would ask the Secretariat whether a consolidated working paper would be more technically complicated to produce than the existing working papers.

Concerning the working papers on the other Territories, my delegation believes that the Committee also should consider the issues of efficiency and limited resources by avoiding any duplication with reports of the Secretary-General. In the case of East Timor, Indonesia and Portugal have agreed, and are committed, to hold a dialogue under the auspices of the Secretary-General, and a progress report was submitted by the Secretary-General on efforts made towards that end. Consequently, a subsidiary body of the United Nations dealing with the same issue should support the efforts of the Secretary-General by avoiding, to the extent possible, duplicating his reports or containing material that contradicts the parties in the dialogue.

The Chairman: I call on the representative of Portugal.

Mr. Gamito (Portugal): I think that until further developments occur in the negotiations between Portugal and Indonesia under the auspices of the Secretary-General, this Committee should continue to draw attention to the question of East Timor and to issue a working document as currently prepared by the Secretariat for this session of the Committee.

The Chairman: The Special Committee will now proceed to take action on the amendments proposed by

the delegation of the Russian Federation. I would suggest that we take up each amendment in turn.

Mrs. Cueto (Cuba) (*interpretation from Spanish*): I was going to ask, Sir, how you proposed to examine these amendments, so that we can decide if we need further elaboration of the explanations given a few minutes ago by the Russian Federation.

The Chairman: On the basis of our discussions, and as we have the report of the Working Group, the amendments proposed by the Russian Federation and our own further discussion, I thought we would take up each proposed amendment and see whether or not it is acceptable to members. But if the representative of Cuba has a better suggestion, the Committee will certainly listen to it.

Mrs. Cueto (Cuba) (*interpretation from Spanish*): It is not that I have specific proposals, Mr. Chairman; it is just that we did not understand the procedure you had in mind.

The Chairman: What I meant was simply that we have been discussing the one hundred and second report of the Working Group; we have the amendments proposed by the Russian Federation. I thought we would look at the amendments that have been suggested to see whether or not they are acceptable. On that basis, we would decide whether to accept the amendments or just to retain the report of the Working Group. I thought that would facilitate our work.

Mr. Mwambulukutu (United Republic of Tanzania): I too want to be clear before we proceed. I listened very carefully to the representative of the Russian Federation, and my understanding was that, after we had gone through the amendments at this morning's meeting, and after all the comments that were made, he was indicating areas that were acceptable to his delegation and areas on which he was ready to compromise. For instance, relating to paragraph 10, on which the Chairman rightly made an appeal to members, I thought the representative of the Russian Federation had already disposed of the question of that paragraph by accepting its retention for this session unless someone had something new to add.

As for the other amendments, I am at a loss as to why we should go back to the exercise we completed this morning. I think it would be very helpful if our colleague from the Russian Federation would indicate areas he finds acceptable and areas where he can say what could be changed, amended or dropped. We would then be able to see whether our positions are in accord with his.

The Chairman: I thought that, since we have had the discussion, it would have been easier to look at the amendments systematically to see where there were areas of mutual agreement. If that is not acceptable, we can certainly adopt another procedure. The only difficulty I have is this: if we adopt the method proposed by the representative of Tanzania, how will we know where there is agreement between the report and the Russian amendments without going through the amendments systematically? I wanted us to dispose of the amendments and then to see where the amendments would fit into the report that is the basis of our discussion.

Mr. Viswanathan (India): I agree with your approach, Mr. Chairman. Or, if our colleagues prefer, we could go paragraph by paragraph since, apart from the Russian amendments, representative of Trinidad and Tobago has suggested an amendment to paragraph 6 and I myself have suggested something for paragraph 11. All these could be taken on board: we could go quickly paragraph by paragraph, and wherever there are amendments we could look at them.

The Chairman: I will take it, then, that members agree that we should proceed paragraph by paragraph.

The first amendment relates to paragraph 4. Are there any comments?

Mrs. Cueto (Cuba) (*interpretation from Spanish*): Regretfully, I must ask again, Sir, if when you speak of amendments you are referring to the initial amendments offered by the Russian Federation, which we discussed this morning -- that is, the modification of the last sentence of paragraph 4 and the insertion of the words "as appropriate" — or to the statement made a short time ago by the representative of the Russian Federation in which he explained that he thought it not in conformity with practice for the Working Group to make a recommendation directly to the General Assembly?

If you were speaking of the inclusion of the words "as appropriate ...", my delegation need not reiterate that we are not in favour of that amendment. But if you were speaking of the recent statement by the representative of the Russian Federation that we might replace the word "should" by the word "would", I am not sure about what he was proposing. It would not be wise to get involved now in discussing procedural questions. As to the

statement by the representative of the Russian Federation that a recommendation by the Working Group could be viewed as lacking respect for the General Assembly, my delegation would like to show why that is not exactly true.

If the representative of Russia considers that it is not appropriate for the Working Group to make a recommendation directly to the General Assembly, we might suggest that, rather than using the word "should", we rearrange the wording or use more precise language such as:

> "the Working Group requested the Special Committee to recommend".

This would resolve the problem of the representative of the Russian Federation concerning the Working Group addressing the General Assembly directly — even with a mere recommendation, a procedure which in our view involves no lack of respect for a principal organ of the United Nations.

The Chairman: By way of clarification, I thought that the explanations given by the representative of the Russian Federation were either supplementary or in reaction to issues that had arisen from the amendments he had proposed. I felt that by taking his proposed amendments and going through the text paragraph by paragraph we would see where there were areas of mutual agreement. I think that would help us to make progress, as opposed to just discussing things and leaving them in the air. Dealing with each paragraph substantively would give members an opportunity to decide whether or not they were in agreement with each proposed amendment.

Mr. Chtcherbak (Russian Federation) (*interpretation from Russian*): To assist our progress on paragraph 4, to which the representative of Cuba has just referred, my delegation is ready, as indicated earlier, to move towards a compromise by abandoning our previous proposal and returning to the wording of the Working Group, but changing the word "should" to "would".

I think that wording would be acceptable to all delegations and more respectful to the General Assembly.

Mr. Samadi (Islamic Republic of Iran): My delegation is satisfied with the existing text in the report of the Working Group. However, if our Russian colleague has difficulty with the word "should", we can say:

> "the Working Group also recommended that the General Assembly make appropriate budgetary provisions"

and so on.

The Chairman: If the words "should" or "would" are a problem, perhaps their elimination would be acceptable to all parties.

Mr. Chtcherbak (Russian Federation) (*interpretation from Russian*): I do not think that would address my delegation's concern. I believe that it would be more respectful and appropriate to say:

> "The Working Group also recommended that the Special Committee request the General Assembly ..."

and so on. In essence, this is the proposal that was made by the Cuban delegation.

Mrs. Cueto (Cuba) (*interpretation from Spanish*): I am pleased that the representative of the Russian Federation has taken such specific note of my explanation. But I must point out that I was only trying to point out that, from a procedural standpoint, the Working Group would not be overstepping itself in making a direct recommendation to the General Assembly. We would prefer the proposal just made by the representative of Iran to eliminate the word "should" and leave the rest of the text unaltered.

The Chairman: We now have to decide whether we delete the word "should", or whether we replace it with the word "would". Since we are having problems with "should" and "would", I would have thought that removing them might be acceptable to all.

Mrs. Cueto (Cuba) (*interpretation from Spanish*): Out of respect for you and your work, Sir, my delegation is fully prepared to take part in this exercise. Before the end of this morning's meeting, after having heard five or six members of the Committee explain the proposal made by the representative of India, we were about to ask that a decision be taken on the issue because we felt we had heard enough opinions and aspects of the issue to close the debate.

But we have reopened the negotiations. It is no longer a question of considering only the amendments proposed by the Russian Federation; we must now hear

the positions of five or six members of the Committee being repeated — and perhaps revised — on issues where there seemed to have been a common opinion or at least a common position.

At this morning's meeting it seemed to us that the members who spoke preferred that the text of paragraph 4 remain as it appears in the document. Even if we take the Russian amendments into account, I would be grateful if we also took into account the discussions and views expressed this morning by other members of the Committee.

On paragraph 4, I thought that we were really approaching some agreement to delete the word "should". May I take it that the representative of Cuba agrees?

Mrs. Cueto (Cuba) (*interpretation from Spanish*): Yes, we agree. I simply wish to point out that everything would seem to indicate that we are headed for difficult work whereas, by contrast, we had thought that the views expressed at this morning's meeting were supported by other members of the Committee. Let me repeat that we are flexible and will participate positively in the negotiations. As to your reference, Sir, to our dilemma about whether to adopt amendments and revise the text paragraph by paragraph or to adopt the document as a whole, we believe that, from a procedural standpoint, there are ways of adopting or not adopting a document other than declaring it not adopted as a whole because a delegation has submitted amendments. I would recall that this Committee has 24 members.

The Chairman: I really felt that the discussions that we have had ranged over various proposals on various paragraphs. I felt that, by looking at the paragraphs, we would then be able to integrate all the discussions and all the proposals that were made. We would then agree at the end which of the proposals we would accept in order to agree on a consensus text.

Mr. Al-Attar (Syrian Arab Republic) (*interpretation from Arabic*): Time is passing and we must conclude our Committee's work today at the latest. I would appeal to all my colleagues to show flexibility and make their statements brief, as far as possible, so that we can finish our work. I would thus make a particular appeal to the representative of Cuba to accept the Chairman's suggestion that we delete the word "should" and not replace it with "would", because that would not change the meaning. We could then move on to the next paragraph. I hope we will all show flexibility and take into account the time constraints on our work.

Mr. Viswanathan (India): I want simply to endorse your approach, Mr. Chairman, that we should proceed paragraph by paragraph and consider the amendments. I did not catch what was said by the representative of Syria, but your proposal to delete the word "should" is eminently sensible.

The Chairman: Since I hear no objection, I take it that that is acceptable. I thank the representative of Cuba and all the other members of the Committee.

The second amendment relates to the first sentence of paragraph 5. Are there any comments?

Mr. Viswanathan (India): We have got into some difficulty here. There are still conflicting views as to whether the number of Committee meetings has decreased, increased or remained the same. Instead of getting into polemics, we could solve the problem by simply deleting the second sentence, leaving just the first and last sentences. We do not have to go into detail.

Mrs. Khan-Cummings (Trinidad and Tobago): There would probably be some merit in retaining the first part of the second sentence. I wonder whether that part could be combined with the first part of the third sentence, as we are not sure whether we have achieved the level of efficiency for which we hoped. I suggest the following words for the end of the third sentence of paragraph 5.

> "... the Committee should continue its efforts to streamline and organize its work efficiently and make optimum and effective use of conference servicing resources."

There would be no need then to refer to the Secretary-General's statement, something which some of us had some difficulty with. But we should keep the reference to continuing our efforts towards what we are hoping to achieve.

The Chairman: I thank the representative of Trinidad and Tobago for her suggestion, which should commend itself to the Committee.

Mr. Chtcherbak (Russian Federation) (*interpretation from Russian*): I have no objection to the first part of the proposal of the representative from

Trinidad and Tobago. However, I feel that we should also include the latter part of my proposal. The Committee's meeting this morning began two hours late, and this afternoon we were an hour late. This shows how important is the matter referred to in the second sentence. Retention of the sentence would remind Committee members of the need to adhere to established working hours.

The discussion regarding the amendments proposed by my delegation, especially on the question of documentation, is another indication of the importance of this reference.

My delegation requests retention of the reference to the fact that in our work we must take into account the critical financial situation of the United Nations. We, as a sub-organ of the Organization, cannot simply ignore this fact. It affects us all, including the Special Committee.

Mr. Mwambulukutu (United Republic of Tanzania): I support the proposal made by the representative of Trinidad and Tobago.

Mr. Viswanathan (India): I too wish to support the proposal of the representative of Trinidad and Tobago.

The Chairman: I feel that the suggestion of the representative of Trinidad and Tobago captures the essence of the proposal of the representative of the Russian Federation. By referring to the Committee's efforts to streamline and organize its work efficiently and make optimum and effective use of conference-servicing resources, the proposal of the representative of Trinidad and Tobago would simplify the wording, while incorporating the other elements required.

Mrs. Cueto (Cuba) (*interpretation from Spanish*): I support the proposal of the representative of Trinidad and Tobago.

The Chairman: I see consensus building.

Ms. Mackenna (Chile) (*interpretation from Spanish*): I want to join the consensus. My delegation too supports the proposal of the representative of Trinidad and Tobago.

Mr. Chtcherbak (Russian Federation) (*interpretation from Russian*): My delegation takes note of the opinions expressed by several delegations. Of course, we understand the motives behind them, and we shall bear them in mind in our further work in the Committee. None the less, my delegation suggests that, for the time being, we should leave this wording and return to it in the light of the outcome of the consideration of other proposals of my delegation.

Ms. Yao Yuhua (China) (*interpretation from Chinese*): I support the proposal made by the representative of Trinidad and Tobago. I take this opportunity also to call on the representative of Russia to take into consideration the words of the Chairman relating to the need for compromise. I think the proposal of the representative of Trinidad and Tobago on this paragraph is adequate to express the views of members of the Committee on enhancing the efficiency of our work.

The Chairman: At this point I would appeal to the representative of the Russian Federation not to make the conclusion of our consideration of this paragraph contingent upon the consideration of later paragraphs. We will be in difficulties if we have to revisit paragraphs we have already dealt with. I therefore urge that we agree on this paragraph and deal with subsequent paragraphs in their turn; otherwise we will find ourselves going back and forth and not getting anywhere. I appeal to the representative of the Russian Federation, in a spirit of consensus, to accept this.

Mr. Chtcherbak (Russian Federation) (*interpretation from Russian*): Out of respect for you, Mr. Chairman, my delegation accedes to your request.

The Chairman: I therefore take it that the Committee adopts the revision to paragraph 5 proposed by the representative of Trinidad and Tobago. The next amendment relates to the first sentence of paragraph 6. Are there any comments?

Ms. Khan-Cummings (Trinidad and Tobago): I have a small suggestion related to the heading of subparagraph (a). I recommend that the word "Plenary" be replaced by "Special Committee" or "Special Committee (plenary)" to maintain consistency with the heading of subparagraph (b) as proposed in the revised wording: "Subcommittee and Working Group".

Mr. Samadi (Islamic Republic of Iran): Some members may recall that during discussions in the Working Group, I proposed the deletion of "As required" and "July", with the aim of completing the work of the Committee during the period February-June. The Secretariat was supposed to find out whether conference services would be available and whether we could

complete all our meetings by the end of June. I wonder if that information is now available.

The Chairman: I call on the Secretary of the Committee.

Mr. Dmitrichev (Secretary of the Committee): With regard to paragraph 6 (a), reference to July was included in case meetings needed to be held in that month. That is only a provision for that eventuality.

The Chairman: I believe that answers the concern of the representative of Iran.

The proposal now before us is to replace the word "Plenary" with "Special Committee" in the subheading of paragraph 6 (a) and the words "Subsidiary bodies" with "Subcommittee and Working Group" in the subheading of paragraph 6 (b). Are there any comments?

Since I see none, I take it that the Committee adopts the proposal of the representative of Trinidad and Tobago regarding paragraph 6.

The next proposed revision relates to paragraph 8. Are there any comments?

Mr. Viswanathan (India): I have no problem with the proposed revision to the second sentence. In the final sentence, I was given to understand by my colleague from the Russian Federation that what we mean by one consolidated working paper is that instead of having 17 separate papers we would have one single document, but that the information on each of the 17 Territories would be set out separately within it without the loss of any information or substance. If that is also the understanding of the Secretariat, then I have no problem with the term "consolidated working paper".

However, the amendment goes on to say "in conformity with the 1995 report of the Subcommittee". I would appreciate some clarification. If we want a consolidated working paper from the Secretariat, this could be done. I do not think this needs to be linked to the report of the Subcommittee, so the last part of the amendment could be deleted, and the text could end "allocated for consideration by the Subcommittee".

Mr. Chtcherbak (Russian Federation) (*interpretation from Russian*): My delegation is satisfied with the proposal of India. My only concern was to reduce the cost of producing these documents, and I am quite happy with any text that will further that objective.

Mrs. Cueto (Cuba) (*interpretation from Spanish*): We had intended to raise the same question as that put forward by the representative of India, and to note that we do not want the Committee's report to the General Assembly, to be a consolidated report, or that the Secretariat be requested to circulate it as a consolidated report.

I would prefer it to be understood that the report which our Committee submits to the Assembly should in no way be consolidated. We can agree to a proposal provided that there is no connection between the Committee's report and any kind of consolidated document.

Mr. Samadi (Islamic Republic of Iran): I believe it is not necessary here to refer to the report of the Subcommittee. As to the other part, concerning consolidation, I have no difficulty with that, but I was waiting for the Secretariat to refer to the technical problem whereby the reports of the Secretariat on the Territories are not all prepared at one time. Those intended for the Subcommittee are prepared sooner while those intended for the plenary Committee are prepared later. Even in those two categories they are not prepared in one day.

If we opt for one consolidated document which, by the provisions to which our Indian and Cuban colleagues referred, would contain separate reports on each Territory, we may face delays next year in the issuance of the working papers.

The Chairman: I call on the Secretary of the Committee.

Mr. Dmitrichev (Secretary of the Committee): Indeed, there could be technical difficulties in issuing one consolidated document incorporating what are now separate working papers. This could be for two reasons.

The first reason is, of course, the timing, because we prepare these reports on the basis of deadlines. We have to meet these deadlines with the assistance of our sources of information, including administering Powers and interested delegations. If they all provide us with that information, ideally on time and well ahead of the deadlines, then we will of course do our best to prepare the papers in one document.

Another difficulty might arise with regard to the need to send parts of these papers for processing if they are not prepared on time, as I explained before, due to the lack of information on some of them. One paper will be finished while we wait for others to be ready. But if we consolidate we will have to submit these individual parts with a certain symbol, as with a document, because conference services will not accept a single portion of a consolidated document and then wait for another part.

There is a third potential difficulty in that, due to restructuring within the Secretariat, it may be that, starting next year, different papers might be prepared by different divisions responsible for the Territories within their respective regions. That could make it difficult to put all this into one consolidated document.

The Chairman: Taking cognizance of the difficulties that have been referred to, we take the word "should" in the second line of the Russian amendment as referring to the ideal situation that needs to be worked towards. But where these difficulties arise and are unavoidable, they will be understood as difficulties that create problems, without being the norm.

Mr. Samadi (Islamic Republic of Iran): I thank the Secretary for his explanation. Because of the problems to which he referred, I said earlier that if we insist on having a consolidated document, the actual result would be a loss of information. We cannot have separate reports, but will have a general report covering all the Territories.

My proposal is therefore that we leave the paragraph as it appears in the report of the Working Group.

Mr. Chtcherbak (Russian Federation): From the outset my delegation has had no problems with paragraph 8 of the Working Group's report. My delegation's proposal was only that, where possible, we should try to produce consolidated texts of the working documents. That is why in the sixth line of the amendment my delegation did not use the verb "should", which some seem to love so much. We used the verb "would". It was a worthy attempt, but of course not all attempts are successful.

Hence, the sentence does not exclude the fact that documents could be issued in another form, if necessary. But we should strive towards consolidation. That is what my delegation was referring to.

Mr. Viswanathan (India): The situation has been clarified by my colleague from Iran and by the Secretary. I appreciate the flexibility shown by the Russian delegation. Thus, maybe, instead of saying, in the sixth line of the amendment, "would produce", we could say "could consider producing", which would keep the option open. If it is possible, the Secretariat would prepare one consolidated report; otherwise, separate reports would be prepared. I would therefore suggest the deletion of "would" in favour of "could consider preparing".

Mr. Mwambulukutu (United Republic of Tanzania): I must say that, from the start, my delegation had difficulties with the revision of this paragraph as proposed by the Russian Federation. Having heard what India was saying, I was inclined to agree, subject to the information which the representative of Iran was so kind as to request from the Secretariat. On the basis of that information we can reaffirm our position, which seems to be in accord with that of the delegation of Iran. I would strongly suggest that we are best served by retaining the original text.

Mr. Al-Attar (Syria) (*interpretation from Arabic*): Perhaps the amendment is aimed at more than simply consolidating the papers into a single document. The ultimate goal is that in future years, the Secretariat would not have to produce any new documents, but would simply include any new information in an annex to the 1995 report. That is the goal of this proposal. If there is no change and if there are no further developments, then the document will remain as it stands, and we will find ourselves discussing the amendment on that basis.

Mrs. Cueto (Cuba) (*interpretation from Spanish*): After hearing the information provided to us by the Secretariat, my delegation draws the same conclusions from this discussion as the representative of Tanzania. Taking into account the views expressed during the debate, we have attempted to reach a compromise solution, despite the fact that we have always preferred not to amend this paragraph.

Having heard the Secretariat's views and those of the representative of Iran, which we find quite pertinent, we suggest that the paragraph should be adopted as it stands in the original text. Otherwise we will be involved in a lengthy discussion, because we believe that this question goes far beyond that of a single consolidated text, and that other considerations are involved.

If possible, then, we would suggest adopting the text in its original form.

Mr. Chtcherbak (Russian Federation) (*interpretation from Russian*): I have listened carefully to everything that has been said here, and I am aware of the concerns of a number of delegations. It is understandable that innovations should be controversial, but if we see in every proposal aimed simply at facilitating and improving our work some deep political motivation of a suspicious nature, as some delegations believe, our Committee will never do anything sensible. We have to be able to separate political motives from considerations of simple rationalization.

If the members of the Committee find even such forms of innovation as these unacceptable, then my delegation will not stand in their way and will withdraw its proposal, feeling that at this stage it is quite sufficient that at today's meeting, and previously, we have drawn attention to existing problems. We have discussed these problems, and naturally they will remain in the minds of members of the Committee, which will have time to think about them. Next year, our delegation will once again attempt to rationalize the work of the Committee.

The Chairman: I can assure the representative of the Russian Federation that his suggestions will provide us with food for thought; all will not be lost. In view of his statement, I take it that he is agreeable to retaining the original text.

It was so decided.

The Chairman: The next proposed revision relates to the second sentence of paragraph 9. Are there any comments?

Mr. Sriwidjaja (Indonesia): Before we move on to the next paragraph, as a follow-up to my previous statements, I would suggest adding to paragraph 8 a sentence to the effect that the Secretariat should not prepare a working paper on issues that the Secretary-General is using his good offices to resolve.

The Chairman: I call on the representative of Portugal.

Mr. Gamito (Portugal): I am sorry to intervene again, but as I suggested earlier, I think that for the time being the Secretariat should continue to prepare documents on specific issues, particularly on the question of East Timor.

Mr. Jenie (Indonesia): Our suggestion was intended merely to contribute to the spirit of efficiency that is evident in our meetings. Members know that the Secretary-General has prepared reports on that same issue. We do not think it necessary, therefore, for the Secretariat to produce another working paper, because this would constitute a duplication, thus going against our efforts to rationalize our work with a view to helping the Secretary-General alleviate the financial crisis facing the Organization.

The Chairman: I call on the representative of Portugal.

Mr. Gamito (Portugal): I am motivated by the same spirit. However, I should like to point out that the information in the Secretary-General's report is different. It concerns the negotiations held under his auspices between the Ministers for Foreign Affairs of Portugal and Indonesia. The working paper prepared by the Secretariat addresses other questions and gives us very important information.

Mr. Jenie (Indonesia): I take note of the comment made by our colleague from Portugal. The problem with the preparation of the working paper, however, is that it is based on third-party sources, media sources, which sometimes do not have access to the Territory. How then could the report be necessary when the information that is gathered is not there? Let me reiterate also that the Secretary-General submits papers that address the same specific question as the working paper, so we simply do not see the need for the Secretariat to produce the same paper twice.

The Chairman: I call on the representative of Portugal.

Mr. Gamito (Portugal): I do not want to get into polemics on this issue. Let me just say that if there are some people who cannot get to the Territory of East Timor, it is because it is not possible to go there.

The working paper prepared by the Secretariat assembles mostly information that Portugal and Indonesia give to the Secretariat rather than data from other sources. Of course, there is some information from other sources, but these are above suspicion and include the Department of State of the United States, Amnesty International and the report of the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions.

The Chairman: I sorely miss the wise intervention of other delegations, which would help us move forward.

Mrs. Cueto (Cuba) (*interpretation from Spanish*): This is a delicate matter not because of the arguments put forward by delegations, but because we think that the Committee's proceedings have to be fair and treat all Territories and interested parties on an equal footing, whether this relates to political matters such as the settlement of disputes or to matters relating to procedure, documentation or rules.

With all due respect for the arguments put forward by both sides, I urge the representatives of Indonesia and of Portugal to remember that any decision or recommendation the Committee may make will certainly spark a chain reaction for other disputes concerning other Territories — disputes on which they might have a common position or common interests in this Committee.

Cuba respectfully leaves subsequent consideration to the judgement of the parties concerned. But we reiterate that the Committee must be cautious in its decisions on this matter, because they will have to be applied equally to other Territories and other interested parties.

Mr. Sriwidjaja (Indonesia): I regret having to return to this matter, which affects the work of the Committee. The delegation of Indonesia would like to speak of the accuracy of the working paper. Logically, an accurate working paper must be the result of a visiting mission. Indonesia objects to East Timor being considered a Non-Self-Governing Territory, and does not accept visiting missions of this Committee. On the other hand, the Secretary-General has access to the Territory, through the sending of special representatives and envoys. In terms of accuracy, the report of the Secretary-General reflects the situation better than the working paper prepared by the Secretariat. In my view the working paper prepared by the Secretariat is based only on newspaper reports and other sources that contradict the position of Indonesia.

The Chairman: I hope I am interpreting the representative of Indonesia correctly when I say that he has helped the Committee; if the Special Committee is to report accurately, then I feel that it should really focus on information that is gathered under its own auspices.

I call on the representative of Portugal.

Mr. Gamito (Portugal): We all know that the Special Committee has a mandate from the General Assembly to address this question. We all know that, whether Indonesia likes it or not, Portugal is the legal administering Power of the Non-Self-Governing Territory of East Timor. Of course, the Special Committee, under its mandate, has the obligation to report and to prepare working papers on this question. On the other hand, there is another process, that undertaken by the Secretary-General; it does not invalidate the Special Committee's obligation to follow this matter.

The Chairman: I should note that we have listened to the positions of the two sides and that we take note of them. In the interests of consensus and in the spirit in which we have proceeded so far and in which we hope to continue, I would ask both sides to accept the amended text as agreed upon.

Mr. Jenie (Indonesia): My delegation has heard your appeal, Mr. Chairman. Let me reiterate that our intention was to make the work of the Committee more efficient and more effective. But if this is creating difficulties for members of the Committee, we simply bring this matter to the attention of members. We hope that the content of future working papers will truly reflect, in a balanced way, the real situation there, and will take into account what other United Nations bodies are doing on this matter, especially as relates to reports. So if a report on human rights, for example, is being produced by the Secretary-General, we feel there is no need for the Committee secretariat to produce its own version of a report on the same subject. Our appeal is that duplication be avoided as much as possible.

The Chairman: I thank the representative of Indonesia for his understanding; I assure him that the Committee has listened to his plea, and that note will be taken of it. At this stage, I would appeal to Portugal that we be enabled to proceed, especially on the basis of this agreement.

I call on the representative of Portugal.

Mr. Gamito (Portugal): I was not expecting this kind of change. I would like to thank you, Mr. Chairman; I can, of course, agree with you. I would like at this stage to commend the very valuable work of the Secretariat in preparing the working paper on East Timor.

The Chairman: I take it that we have reached an understanding and that we can now proceed.

The next proposed revision relates to the second sentence of paragraph 9. Are there any comments?

Mrs. Cueto (Cuba) (*interpretation from Spanish*): I believe, Sir, that you are referring to the proposal by which the Special Committee's verbatim records would be replaced by summary records. During this morning's debate the Cuban delegation said it was aware of the need for study of the Committee's procedures and functioning to reflect the need to contribute to the solution of the financial situation facing the Organization. We recall that the General Assembly has requested bodies such as this Committee to submit justification for the confirmation of the current entitlement to meeting records. We felt that this proposal could have been dealt with at a later stage in the Committee's work.

As I said this morning, my delegation considers that the Committee is passing through a critical period in terms of its discussions, in terms of the interests of the parties involved in disputes and of the representatives of Non-Self-Governing Territories, and in terms of the need for reliable, precise information on the discussions and negotiations, and on the state of affairs relating to the issues the Committee discusses. We therefore feel that, for the time being, we should hold to the decision to retain verbatim records of our work. We take note of this amendment, and would be entirely prepared at a later stage to consider the proposal. Hence, we suggest that for the present the original wording of paragraph 9 be retained.

Mr. Chtcherbak (Russian Federation) (*interpretation from Russian*): I think my delegation's proposal will have been clear to all, but let me once more reaffirm the position of my delegation: it is our view that the well-qualified staff of our secretariat have sufficient experience to prepare summary records that reflect the positions of delegations. In our view, verbatim records entail unnecessary expense and prevent us from moving towards the rationalization of the Committee's work.

Mrs. Cueto (Cuba) (*interpretation from Spanish*): We would like to make two points with a view to achieving a resolution of this discussion. In connection with the request to this and other committees to consider replacing verbatim with summary records, we would note that that recommendation should not prejudge the decision taken by any committee. It is true that many other United Nations committees have taken such decisions, but I feel that, in the light of the political nature of this Committee's mandate, we do not have at our disposal sufficient, objective study and understanding to decide to make the substitution at this time, although we could eventually make such a decision.

The Cuban delegation agrees that the Secretariat has all the professionalism necessary at any time to replace verbatim with summary records that accurately reflect the content of our debates. We do not feel that this discussion will lead to any judgement of the professionalism of the Secretariat, about which we have no doubt. We feel there are other concrete elements involved in such a decision, and that for the time being the paragraph should not be amended.

Mr. Al-Attar (Syrian Arab Republic) (*interpretation from Arabic*): The concerns of Cuba are valid, but as all other main bodies receive summary records, we feel that this Committee should follow suit. We should depend on summary records because all United Nations bodies are streamlining their work: the First, Fourth, Fifth and Sixth Committees all receive summary records. We should follow suit, while taking into account the concerns of Cuba.

Mrs. Khan-Cummings (Trinidad and Tobago): I support the comments just made by my colleague from the Syrian Arab Republic.

Ms. Mackenna (Chile) (*interpretation from Spanish*): While I fully understand the views stated by the representative of Cuba, I agree with the representative of Trinidad and Tobago. We too favour the use of summary records.

Ms. Yao Yuhua (China) (*interpretation from Chinese*): Some representatives have noted that, the International Decade for the Eradication of Colonialism having already reached its mid-point, we still have a great deal of hard work to do and that we therefore need to accelerate our work.

At the same time, we must ensure that our time is used wisely and our procedures are efficient. Therefore, I support the suggestion to retain the original text. I also suggest that the proposal put forward by the representative of the Russian Federation could provide some guidance for our future work. However, it would be more appropriate now to keep the present text. In other words, I suggest that at this late stage the original words of paragraph 9 be retained.

The Chairman: I thank the representative of China. Unfortunately, she has complicated my task, though I thought that she was going to help me.

In view of the consensus that seems to be emerging, I wonder if the representatives of Cuba and China might reconsider so that we may proceed.

Ms. Yao Yuhua (China) *(interpretation from Chinese):* I have already expressed my view: I support the proposal put forward by the representative of Trinidad and Tobago, as well as that of the representative of Syria.

The Chairman: Thank you. I wanted it to be precise.

Can the representative of Cuba help us?

Mrs. Cueto (Cuba) *(interpretation from Spanish):* It seems that a large majority of Committee members favour replacing verbatim records with summary records. That is the sense of the discussion. In a spirit of compromise, we could support that view; it is just that we do not understand — and of course we do not wish to question — the reasons behind the position of various delegations. Nevertheless, we feel that it will be difficult to explain that the Committee took this decision simply because other committees had done so, despite the fact that at this stage, as has been said already, the process of decolonization requires the most viable and trustworthy information possible.

The Chairman: I thank the representative of Cuba, and I hope that she will allow me to replace her "could support" with "supports".

Mr. Al-Attar (Syria) *(interpretation from Arabic):* As I said earlier, Cuba's concerns are quite valid. But the Fourth Committee, which is the main source of this Committee's work, uses summary records, and it is therefore logical for this Committee to do likewise. Similarly, the First Committee and the other Main Committees use summary records. This merely serves to streamline their work.

I hope that the representative of Cuba will be able to accept this change so that we may show others that we are streamlining our work in a logical manner and not simply continuing to insist on using United Nations resources, as some people claim.

The Chairman: May I take it, then, that the amendment is accepted?

Mr. Mwambulukutu (United Republic of Tanzania): I am grateful that we have reached this point. However, to make the situation more concrete, perhaps there would be no harm in deleting the words that follow "summary records", rather than citing what has been done by the Special Political and Decolonization Committee (Fourth Committee). We think it is prudent to do this. We do not have to say that we are doing this because someone else has done it.

If that is acceptable, I agree with you, Mr. Chairman.

The Chairman: I thank the representative of Tanzania.

Paragraph 9 as revised would therefore end with the words "replace its verbatim records by summary records."

Since I see no objection, it is so decided.

Conscious of the time constraints, I wonder if we can move forward and finish this item at least.

The next proposed revision relates to paragraph 10 in section 5 of the report, dealing with the question of the List of Territories to which the Declaration is applicable. The Russian amendment would have the Committee place this question on its 1996 agenda, but as this question is already an agenda item I wonder if the revision serves any useful purpose.

Mr. Chtcherbak (Russian Federation) *(interpretation from Russian):* My delegation has already introduced the proposal that we revert to the former wording of the Working Group. Our discussion on this issue was quite beneficial, but it is apparent to my delegation that further work along these lines is necessary to enable us to give the issue careful consideration at later meetings of the Committee.

Mr. Al-Attar (Syrian Arab Republic) *(interpretation from Arabic):* Given that the delegation of the Russian Federation is not insisting on its amendment, I do not really need to speak. At this morning's meeting I stressed that this proposal was premature. Perhaps in future years we shall be in a position to implement it, but at present my delegation prefers to leave paragraph 10 as it is in the original text.

The Chairman: May I therefore take it that the original text is to be retained?

It was so decided.

The Chairman: The next proposed revision relates to the addition of a new paragraph, which would be paragraph 14. Are there any comments?

Mr. Viswanathan (India): Before we proceed to the proposed new paragraph 14 I have a suggestion for an additional paragraph concerning the International Decade for the Eradication of Colonialism. It could be inserted before the present paragraph 11. This Committee has not carried out any serious review of the Plan of Action for the International Decade.

In paragraph 12 we are asking United Nations agencies to do the work but this Committee itself has not done it. I think it would be appropriate for us to say:

> "The Working Group decided to recommend that the Special Committee should review the Plan of Action at its next session, in 1996."

followed by whatever wording is appropriate. If it is agreeable to my colleagues it could become paragraph 11, while the present paragraph 11 would become paragraph 12.

The Chairman: If I hear no objection, it is so decided.

Mr. Viswanathan (India): In the original paragraph 11, which is now the new paragraph 12, the last part of the sentence reads:

> "to be attended by representatives of Non-Self-Governing Territories in the region".

We know, however, that the seminar also includes other people. I think that we could consider deleting this portion. When we say "seminar", it is understood that it is attended by the regional representatives and so on. So the sentence could end with:

> "a seminar in the Pacific region".

Mr. Mwambulukutu (United Republic of Tanzania): I thank the representative of India for his proposal. While it appears to offer no difficulties, I think that in the context of the difficulties concerning who should go where and who should represent what, it is important to insist on retaining the text as it stands.

Mr. Viswanathan (India): If that is the consideration, then we could say "to be attended, among others,", or something like that, because it should not preclude the others, such as non-governmental organizations, regional organizations or so on, from participating. The way it is worded gives the impression that only these representatives are going to attend. But if there is no such impression, of course we can leave it.

The Chairman: We could add "in particular" so that the sentence would read:

> "to be attended, in particular, by representatives of Non-Self-Governing Territories in the region"?

If I hear no objection, it is so decided.

The Chairman: We now turn to the new proposed final paragraph, which would now become paragraph 15.

Mr. Al-Attar (Syrian Arab Republic) (*interpretation from Arabic*): The current situation, by which the membership of the Bureau is limited, also applies to the Working Groups. The meetings of the bureaus in all the Main Committees of the United Nations are closed, and restricted to the Chairman, the Vice-Chairmen, and other officers of the Committee.

As to the Working Group, it seems to me that each State has the right to participate in it. It is not the same as the Bureau, but has a different nature. Each country has the right to request participation in the Working Group. I therefore ask the Secretariat if it is possible, from the procedural point of view, for the meetings of the Working Group to be open-ended. A resolution of the General Assembly names the members of the Working Group. How can the meetings of the Working Group be open-ended? Our Committee can study this matter. The other bodies of the United Nations also give the right to all their members to participate in open-ended meetings.

Mr. Viswanathan (India): I suppose that we need a clarification from the Secretariat on the procedural aspects of it. My initial feeling is that the Bureau, by its very nature, will hold closed meetings. But if there is any procedural possibility of making the Working Group open-ended, we would support it since the Working Group considers methodology and working procedures that are of interest to all the members of the Committee.

Ms. Mackenna (Chile) (*interpretation from Spanish*): My delegation shares the view expressed by the representative of India. I believe that the meetings of the Bureau should be restricted to its members, who are

elected by the entire Committee. However, if it is procedurally possible, all interested members could participate in the meetings of the Working Group.

Mr. Mwambulukutu (United Republic of Tanzania): It is common for some of our meetings to be closed. The Bureau, of course, is always closed, but that does not mean that it is completely sealed. The Members of the Organization are free to participate in any discussion by following certain procedures, including in the Security Council. It is not closed. I can go in there and say that my delegation wants to make a statement. We have done so. In the Fourth Committee, the Main Committee to which we report, we have the peace-keeping-operations group, which is limited. Just as we are called the Committee of 24, that group is known as the Committee of 34. We are not members of that Committee, but we always apply to attend as observers and we have never been refused.

I was just wondering as to the necessity of this proposed new final paragraph under these circumstances. Is it just a procedural matter, or will somebody be prevented from participating? We should be very clear that we are doing something which does not set any precedents. I would assume that any Member State, if it feels very strongly about a certain matter, would be free to participate in all these things, even in the matters of the Bureau. If you feel very strongly about something, you can send a written statement, meet with the Chairman, ask to improve some text or be heard somewhere. I am not too clear on this myself, so I ask for clarification on this point.

The Chairman: I would recall that at the beginning of the year, the Committee selects the members of the Working Group. That Working Group then works right through the period.

Mrs. Cueto (Cuba) (*interpretation from Spanish*): Once again, I am very pleased to say, we agree with the view expressed by the representative of Tanzania, though we would have preferred to have some clarification of the actual situation. Some delegations feel that all meetings in the United Nations should be open-ended. We feel that, in terms of the practice of this Committee, no country that is interested in participating or in expressing its views would be deprived of that right if, in due time and in the appropriate manner, it were able to put its case to the members of the Committee. That is why we do not understand the need for the paragraph that has been proposed for addition to this Working Group report.

The Chairman: I call on the Secretary of the Committee to explain the procedural aspect.

Mr. Dmitrichev (Secretary of the Committee): If I understood the representative of Cuba correctly, she wishes to know how and when the Working Group is established. As you, Mr. Chairman, pointed out, its establishment and composition are usually dealt with at the first Committee meeting of the new year. Presumably the first meeting of 1996 will take place some time next February. That is when the officers are selected and when the members of the Working Group and of the bureau will be appointed, as in the past.

Mrs. Cueto (Cuba) (*interpretation from Spanish*): I thank the Secretary of the Committee for his explanation, but perhaps I was misunderstood.

We are familiar with the Committee's procedures, and we do not need an explanation of the manner in which the Working Group was set up. We simply want to know the reason for the proposal to add this proposed new paragraph to the Working Group's report.

Mr. Viswanathan (India): I thank the Secretary of the Committee for his explanation.

We have been following the practice of appointing a Working Group and a Subcommittee. Everyone participates in the Subcommittee, but the Working Group, despite the fact that it considers important subjects, has only a few members. Why do we not, as part of the rationalization of the Committee's work, do away with the Working Group? The work that the Group does could be done just as well by the Committee itself. The Committee could devote one or two meetings — whatever was necessary — to that work. It is unnecessary to have a separate Working Group for this purpose.

Mr. Chtcherbak (Russian Federation) (*interpretation from Russian*): As you know, Mr. Chairman, my delegation was the sponsor of this initiative. I have already explained our reasons for making this specific proposal. The Committee's mandate and the important stage that we have reached in its work — we have four more years to achieve the goal for which it was set up — place on us a special responsibility to improve the effectiveness of our work. In our view, the question of effectiveness cannot be separated from the question of transparency. With regard to matters that are of equal importance to all members of the Committee, we cannot tolerate a situation in which important decisions

affecting all members are taken without the participation of all.

For two years I have been doing Security Council work. The Security Council considers issues that are sometimes more delicate and more complex than those with which this Committee deals, yet it does not have a practice whereby a working group is made up of small number of members, the remaining members being deprived of an opportunity to participate. Therefore I do not understand the practice that has emerged in the work of the Committee.

I repeat that our proposal was prompted by a recent case in which my delegation was deprived of the opportunity to participate in the meetings of the Working Group. That, by the way, is what led to the Committee's being forced to spend the whole of today discussing this document. If my delegation had had an opportunity to take part in the meetings of the Working Group, the Committee might have achieved consensus much earlier and been spared the need to spend so much time on this matter.

That is the first and most important point that I wished to make.

Secondly, we must also bear in mind the very diverse composition of the Committee. This is a question for the bureau. The Committee is made up of representatives of various regional groups. At present my delegation and the delegation of Bulgaria — which is absent from this meeting — are the only two representing the continent of Europe. It is no secret to anyone here that it is quite possible that my delegation may in the near future be the only one representing Europe. In terms of logic, this raises the question: if there is no regional group, how will we be able to participate in the meetings of the Bureau and take part in the decisions?

In my view — and I stress this once more — we would like to have open-ended meetings if the rules of procedure do not preclude such an arrangement. Moreover, as my delegation has said before, we would not participate in all meetings — only in those of priority interest to us.

I hope that the members of the Committee will bear in mind the arguments that I have just put forward.

The Chairman: In view of the time constraints, may I suggest that we resolve this matter — important as it is — at the Committee's first meeting next year?

Mr. Chtcherbak (Russian Federation) (*interpretation from Russian*): No, we cannot leave this issue until next year. I would stress once again that if my request does not contravene the rules of procedure of this Committee — and I should like to ask the Secretariat to provide an explanation — I would like our request to be taken into account.

Mr. Viswanathan (India): I should like to comment on two aspects of this question.

First, I think that the members of the Committee, and in particular the members of the Bureau, should take due note of what our colleague from the Russian Federation has said, and I am hopeful that they will do so. I will leave it at that, as I should not like to explain it further.

Secondly, I think the last paragraph of the report of the Working Group could say simply that it has been decided to make the Working Group of the Committee open-ended. I believe that it is within the competence of this Committee to do this, since the Working Group is one of our subsidiary bodies. We do not have to go to the General Assembly or to any other authority. I consulted with some of my colleagues and heard no serious objection. We could say, therefore, that it has been decided, from the next session on, to make the Working Group of the Committee open-ended for Committee members.

Mr. Chtcherbak (Russian Federation) (*interpretation from Russian*): I have twice asked you, Mr. Chairman, for an explanation from the Secretariat as to whether the wording I have submitted contravenes the rules of procedure of our Committee. If memory serves me, our Committee is responsible for its own procedures and can change them without the agreement of any other body, but I would like to receive an explanation from the Secretariat.

The Chairman: I call on the Secretary of the Committee.

Mr. Dmitrichev (Secretary of the Committee): The Bureau of the Committee consists of its officers: the Chairman, the two Vice-Chairmen and the Rapporteur. The expanded Bureau includes, in addition to those four, the Rapporteur and Chairman of the Subcommittee. Any further expansion would involve a departure from the Committee's rules and practice.

Mr. Samadi (Islamic Republic of Iran): I think the proposal made by our colleague from India is valid, and it has the support of at least some of the delegations. I should simply like to add that the proposed new paragraph should be placed in a new section headed "Expansion of the Working Group". We can then say,

> "The Special Committee recommends that the meetings of its Working Group be open to all members of the Committee".

Mr. Chtcherbak (Russian Federation) (interpretation from Russian): I am glad that we have reached a compromise on the second part of the matter I raised. I should like now to get a clear explanation as to whether my proposal to hold open-ended meetings of the Bureau contravenes the rules of procedure.

Secondly, I should like to clarify why the Committee, which itself creates its rules of procedure, cannot change these rules, if they exist.

The Chairman: I call on the Secretary of the Committee.

Mr. Dmitrichev (Secretary of the Committee): If you consider the practice of the General Assembly and of this body over a long period of time to be its established procedure, then the suggestion made by the Russian delegation is not in line with that procedure.

Mr. Chtcherbak (Russian Federation) (interpretation from Russian): I should like to put my question again: does it contravene the rules of procedure of our Committee, or does it go against current practice? There is a very big difference.

The Chairman: Does the Secretary of the Committee wish to make any further comments?

Mr. Dmitrichev (Secretary of the Committee): No.

Mr. Viswanathan (India): The Secretariat has confirmed our impression. We do work in other Committees, and there are closed Bureaus, all elected by us. Of course, if we were to open them, I do not think we would be able to do it today, but maybe our colleague from the Russian Federation could consider taking up the question later. We could consider this question at the next session. But for the moment, I see some kind of general agreement for making the Working Group open-ended, so I have a concrete suggestion. I propose that the proposed last subtitle, "The rationalization of the work of the Special Committee", be replaced by "Expansion of the Working Group". That would be section 8. Under that, the new paragraph 15 would read,

> "The Working Group decided to recommend to the Special Committee to make the Working Group open-ended".

Mr. Al-Attar (Syrian Arab Republic) (*interpretation from Arabic*): I suggest, to save time and so that it will not be necessary to meet on Monday, that we accept the proposal made by the representative of India and that we move on to the remaining paragraphs.

The Chairman: We must decide now whether to continue this meeting without interpretation.

Mr. Al-Attar (Syrian Arab Republic) (*interpretation from Arabic*): All we need is a further five minutes of interpretation; I am sure we can complete our work by then.

The Chairman: The interpreters have already worked an extra 45 minutes. I appeal to the interpreters to grant us not five, but only three minutes in the hope that members will rally round so that we can adjourn until Monday. I hear no objection from the interpreters.

Ms. Khan-Cummings (Trinidad and Tobago): Just a small comment. I accept the recommendations made by the representative of India, but I wonder: if the Working Group is open-ended what is the number required for a quorum? This is something that has come up in the past. Who determines what constitutes a quorum?

The Chairman: I call on the Secretary of the Committee.

Mr. Dmitrichev (Secretary of the Committee): With an open-ended working group, there is no figure for a quorum.

The Chairman: I call on Mr. Perfiliev.

Mr. Perfiliev (Director, General Assembly Affairs Division): In my experience with many working groups — almost all of which are now open-ended in the General Assembly — I do not remember any votes being taken in open-ended working groups; they work mostly on the basis of consensus. The recommendations they prepare then go to the organs that determine how to take

their decisions: either on a consensus basis, or on the basis of a vote.

Mr. Chtcherbak (Russian Federation) (*interpretation from Russian*): My delegation accepts the compromise proposal offered by our colleague from India, on the understanding that the Bureau will take account of the interests of my very small regional group when new Committee officers are nominated.

The Chairman: If there is no objection I shall take it that the Committee wishes to adopt the amendment.

May I take it, then, that the Special Committee adopts the report of the Working Group, as orally revised?

The one hundred and second report of the Working Group (A/AC.109/L.1835), as orally revised, was adopted.

Mr. Al-Attar (Syrian Arab Republic) (*interpretation from Arabic*): I do not think we need to meet on Monday, 17 July, because the Committee is not yet ready to discuss the two scheduled items, on activities of foreign economic and other interests and on military activities and arrangements. Any changes in the draft resolution and draft decision on those items would require consultation with our respective capitals. I propose that we ask the Chairman to arrange consultations with members and other delegations interested in those two items, and that when the Committee meets in September as planned, when the Fourth Committee is meeting, it can consider and take action on the two items.

While some members of the Committee have seen copies of the report of the Committee in draft form, we cannot adopt it until it has been officially issued to all members. I therefore think we should also defer consideration of the two remaining items, 3 and 4, until September, when the Fourth Committee is in session. This will also reduce the number of meetings. In consultation with the Chairman, members and other interested States could plan follow-up action to be taken during the Fourth Committee session and in subsequent meetings of the Special Committee.

Mr. Chtcherbak (Russian Federation) (*interpretation from Russian*): I support the proposal just made by the representative of Syria to defer consideration of agenda items 3 and 4 to a later date.

However, I fear that in any event we may well have to meet on Monday because there are still two documents that have not yet been adopted: the report of the Subcommittee and the report of the regional seminar held in Trinidad and Tobago. Moreover, we absolutely must address the report of the regional seminar before we touch on issues relating to the activities of foreign economic and other interests and military activities, because the conclusions and recommendations of the seminar deal directly with this issue.

I therefore propose that we meet on Monday in order to conclude consideration of the report of the Subcommittee and the report of the regional seminar. The discussions on the other matters referred to by the representative of Syria — items 3 and 4 — can be deferred to a later date. In view of the complex nature of these issues, we can thus give the Chairman an opportunity to discuss it with other members of the Committee.

The Chairman: I take this opportunity to thank the interpreters for their understanding and patience and to say that, while we would ideally want to adjourn today, it would be better if we met on Monday, when we can decide whether to deal with the two other items or not.

Mrs. Cueto (Cuba) (*interpretation from Spanish*): My delegation is prepared to defer until Monday discussion of the outstanding draft resolution and draft decision on the remaining two agenda items.

We wish to note that, given the constant spirit of flexibility and cooperation demonstrated by the representative of Syria, we share his view that, in order to consider the two drafts on military and economic activities, some members need to consult with their capitals. However, we would point out that other members of the Committee are interested in discussing the two items.

The Committee had hoped that those two drafts would be available on time in order to allow delegations to consult with their capitals, as has been the Committee's practice and custom. Since this was not possible and for some reason the Chair has been unable to issue the documents, we agreed that those documents could be submitted as proposed. We feel that we are able to consider them as proposed.

If it is decided not to consider them, then the report of the regional seminar and that of the Subcommittee will

meet the same fate. That is to say, we would be considering them in September. I see no reason why the reports should be discussed on Monday or why discussion of the two drafts on military and economic activities should be postponed until September.

The Chairman: At this point, I take it we agree to meet on Monday, when we shall then decide how to proceed.

The meeting rose at 6.55 p.m.